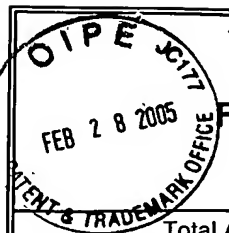


IFW 3732



# FEE TRANSMITTAL

Application Number: 10/647,068

Filing Date: August 22, 2003

First Named Inventor: Argenta, et al.

Group Art Unit: 3732

Examiner Name: PHILOGENE, PEDRO

Attorney Docket Number: 0101 P02977US1

Total Amt of Payment (1) + (2) + (3) = \$180

## METHOD OF PAYMENT (check one)

The Commissioner is hereby authorized to:

- ☐ Charge indicated fees
- ☒ Charge additional fees
- ☒ Credit overpayments

to the account of DANN, DORFMAN, HERRELL & SKILLMAN  
Deposit Account Number 04-1406

Payment enclosed:  
Check in the amount of \$180

## FEE CALCULATION

### 1. FILING FEE

Fee Description	Fee
Utility filing fee	<u>                    </u>
Design filing fee	<u>                    </u>
Plant filing fee	<u>                    </u>
Reissue filing fee	<u>                    </u>
<b>SUBTOTAL (1)</b>	<b>\$0</b>

### 2. Claims Fees

# of Claims - Paid	Extra Claims	Fee/Claim	Fee
Total Claims	- =	25	\$0
Indep Claims	- =	100	\$0
Multiple Dependent Claim Fee			
<b>SUBTOTAL (2)</b>			<b>\$0</b>

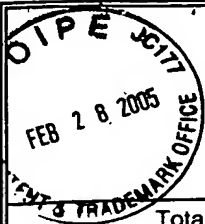
## ADDITIONAL FEES

Fee Description	Fee Paid
Surcharge-late filing fee or oath	<u>                    </u>
Surcharge - late provisional filing fee or cover sheet	<u>                    </u>
Extension for response within month	<u>                    </u>
Notice of Appeal	<u>                    </u>
Filing a brief in support of an appeal	<u>                    </u>
Request for oral hearing	<u>                    </u>
Petition to revive unavoidably abandoned application	<u>                    </u>
Petition to revive unintentionally abandoned application	<u>                    </u>
Issue Fee	<u>                    </u>
Petitions to the Commissioner	<u>                    </u>
Petitions related to provisional applications	<u>                    </u>
Submission of Information Disclosure Stmt.	<u>180</u>
Recording each patent assignment per property	<u>                    </u>
Other fee (specify) <u>Advance Order (10 copies)</u>	<u>                    </u>
<b>SUBTOTAL (3)</b>	<b>\$180</b>

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Submitted By: Mels Maun Reg. Number 48,488

Signature [Signature] Date 2/25/05 Deposit Account User ID 04-1406

**FEE TRANSMITTAL**

Total Amt of Payment (1) + (2) + (3) = \$180

**METHOD OF PAYMENT (check one)**

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☐ Charge indicated fees☒ Charge additional fees☒ Credit overpayments

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Check in the amount of \$180**FEE CALCULATION****1. FILING FEE**

Fee Description	Fee
Utility filing fee	_____
Design filing fee	_____
Plant filing fee	_____
Reissue filing fee	_____

**SUBTOTAL (1)** \$0**2. Claims Fees**

# of Claims - Paid	Extra Claims	Fee/Claim	Fee
Total Claims - =		25	\$0
Indep Claims - =		100	\$0

Multiple Dependent Claim Fee

**SUBTOTAL (2)** \$0

Application Number: 10/647,068

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First Named Inventor: Argenta, et al.

Group Art Unit:3732

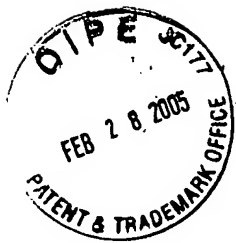
Examiner Name: PHILOGENE, PEDRO

Attorney Docket Number: 0101 P02977US1

**ADDITIONAL FEES**

Fee Description	Fee Paid
Surcharge-late filing fee or oath	_____
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Recording each patent assignment per property	_____
Other fee (specify) <u>Advance Order (10 copies)</u>	_____
<b>SUBTOTAL (3)</b>	<u>\$180</u>

**BEST AVAILABLE COPY**Submitted By: Niels Maun Reg. Number 48,488Signature [Signature]Date 2/25/05Deposit Account User ID  
04-1406



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of **Argenta, et al.**  
Application No. **10/647,068**  
Attorney Docket No. **0101 P02977US1**  
Filed: **August 22, 2003**  
For: **Bone Treatment Employing Reduced Pressure**  
Examiner: **PHILOGENE, PEDRO**  
Group Art Unit: **3732**

**CERTIFICATE OF MAILING UNDER 37 C.F.R § 1.8(a)**

I hereby certify that this Correspondence is being deposited on the date identified below with the United States Postal Service as first-class mail in an envelope properly addressed to Commissioner for Patents, Alexandria, VA 22313-1450 -

2/25/05  
Date of Certificate

Robin Dolan  
Robin Dolan

Commissioner for Patents  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97**

In compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicants are submitting herewith a Form PTO-1449 and a copy of the references listed thereon. This Information Disclosure Statement is being filed more than three months after the filing date of this application, and after receipt of the first Official Action on the merits, but before receipt of a Final Official Action or an Notice of Allowance. Accordingly, the fee required under 37 C.F.R. 1.97(c) is enclosed. In the event the enclosed fee is in error, the Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit account no. 04-1406.

03/01/2005 SSANDARA 00000002 10647068

01 FC:1806

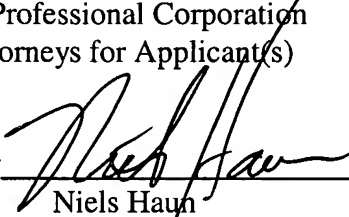
180.00 OP

Applicants respectfully request full and proper consideration of the listed information during examination of the application, and that the listed information be printed on any patent that issues therefrom.

Respectfully submitted,

DANN, DORFMAN, HERRELL & SKILLMAN  
A Professional Corporation  
Attorneys for Applicant(s)

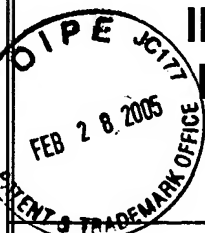
By

A handwritten signature in black ink, appearing to read "Niels Haun", is written over a horizontal line.

Niels Haun

PTO Registration No. 48,488

Telephone: (215) 563-4100  
Facsimile: (215) 563-4044  
Enclosures - Form PTO-1449

 <b>INFORMATION DISCLOSURE STATEMENT</b>	<b>Complete if known</b>	
	Application Number: 10/647,068	
	Filing Date: August 22, 2003	
	First Named Inventor: Argenta, et al.	
	Group Art Unit: 3732	
	Examiner Name: PHILOGENE, PEDRO	
SHEET 1 OF 7		Attorney Docket Number: 0101 P02977US1

UNITED STATES PATENT DOCUMENTS				
EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR
		3,115,138	12/24/1963	McElvenny
		3,572,340	03/23/1971	Lloyd, et al.
		2,025,492	12/24/1935	Aird

FOREIGN PATENT DOCUMENTS					
EXAMINER'S INITIALS	CITE NO.	DOCUMENT NUMBER	COUNTRY OR REGION	DATE OF PUBLICATION MM-DD-YYYY	FIRST NAMED INVENTOR OR APPLICANT

OTHER CITATIONS - NON-PATENT DOCUMENTS		
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in Capital Letters), title of the article (when appropriate), title of the item(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Report of Professor Thomas K. Hunt, M.D., pp. 1-14, January 13, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Report of Mark Chariker, M.D., pp. 1-8, January 13, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Report of James Spahn, M.D., pp. 1-6 and Exhibit C pp. 9-10, January 6, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report of Michael H. Baniak, pp. 1-79 and Exhibit D pp. 1-3 including un-published materials listed therein and Exhibit E pp. 1-5, January 7, 2005.

EXAMINER'S SIGNATURE		DATE CONSIDERED	
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SHEET 2 OF 7

Attorney Docket Number: 0101 P02977US1

		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. Dist. Court, W. Dist. of TX San Antonio Div., Report of Katherine F. Jeter, November 28, 2004.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. Dist. Court, W. Dist. of TX San Antonio Div., Report of Wilson C. Hayes, Ph.D, November 29, 2004, pp 1-15, and Exhibit C (2 pages).
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EXAMINER'S  
SIGNATURE

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SHEET 3 OF 7

Attorney Docket Number: 0101 P02977US1

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SHEET 4 OF 7

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SHEET 5 OF 7

Attorney Docket Number: 0101 P02977US1

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Group Art Unit: 3732

Examiner Name: PHILOGENE, PEDRO

SHEET 6 OF 7

Attorney Docket Number: 0101 P02977US1

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EXAMINER'S  
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.